APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/770,067	01/24/2001	Terry R. Weissman	TLME-01-020	7198

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EXAMINER
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ART UNIT	PAPER NUMBER
2614	

DATE MAILED: 06/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>11 May 2006</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-36</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>19-24, 26, 28-29, and 31-36</u> is/are rejected.

7) ☐ Claim(s) <u>25,27 and 30</u> is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 19-24, 26, 28-29, and 31-36 rejected under 35 U.S.C. 102(e) as being

anticipated by Partovi et al., Patent #6,970,915.

Regarding claim 19, Partovi teaches a method, comprising:

receiving a plurality of recorded first audio segments related to a first topic or issue,

wherein each audio segment of the first audio segments comprises audio data recorded

over different periods of time(col.13 line 36-col.14 line 52);;

receiving a plurality of recorded second audio segments related to a second topic or

issue, wherein each audio segment of the second audio segments comprises audio

data recorded over different periods of time and wherein the second topic or issue is

different from the first topic or issue(col.13 line 36-col.14 line 52);

dividing an audio repository into multiple partitions(col.11 lines 28-46);

storing the plurality of first audio segments in a first partition of the multiple partitions;

assigning a first unique identifier to the plurality of first audio segments;

storing the plurality of second audio segments in a second partition of the multiple

partitions(col.13 line 36-col.14 line 52);

assigning a second unique identifier to the plurality of second audio segments;

receiving the first unique identifier in association with a first telephone call and at least

one command; and selectively playing back one or more of the first audio segments

based on receipt of the first unique identifier and based on the at least one command

received via the first telephone call(col.8 lines 30-42 and (col.13 line 36-col.14 line 52).

Regarding claim 20, Partovi teaches the method of claim 19, wherein receiving

the first unique identifier comprises receiving a number manually entered using DTMF

by a user initiating the first telephone call(col.13 line 36-col.14 line 52);

Regarding claim 21, Partovi teaches the method of claim 19, wherein receiving

the first unique identifier comprises receiving a number spoken via voice command by a

user initiating with the first telephone call(col.13 line 36-col.14 line 52).

Regarding claim 22, Partovi teaches the method of claim 19, wherein receiving

the first unique identifier comprises receiving a name spoken via voice command by a

user initiating the first telephone call(col.13 line 36-col.14 line 52).

Regarding claim 23, Partovi teaches the method of claim 19, wherein receiving

the first unique identifier comprises receiving a dialed number associated with the first

telephone call(col.13 line 36-col.14 line 52).

Regarding claim 24, Partovi teaches the method of claim 19, further comprising:

after playing back the one or more of the first audio segments, receiving another

command via the first telephone call to access the plurality of second audio segments;

and selectively playing back one or more of the plurality of second audio segments

based on the received other command(col.13 line 36-col.14 line 52).

Regarding claim 26, Partovi teaches the method of claim 19, further comprising:

receiving audio comments from a first user associated with the first telephone call; and

storing the received audio comments in association with the first partition(col.13 line 36-

col.14 line 52).

Regarding claim 28, Partovi teaches a method, comprising:

receiving and storing a first series of recorded audio segments; receiving and storing a

second series of recorded audio segments; receiving a request to access the stored first

series of recorded audio segments via a first telephone call(col.13 line 36-col.14 line

52); playing back the requested first series of recorded audio segments via the first

telephone call;

receiving a selection of a first audio segment of the played back first series of recorded

audio segments via the first telephone call(col.13 line 36-col.14 line 52);

receiving a recorded first audio comment via the first telephone call; and

storing the received recorded first audio comment in association with the selected first

audio segment(col.8 lines 30-42 and col.13 line 36-col.14 line 52).

Regarding claim 29; Partovi teaches the method of claim 28, further comprising:

receiving a selection of a second audio segment of the first series of recorded audio

segments via the first telephone call; receiving a recorded second audio comment via

the first telephone call; and storing the received recorded second audio comment in

association with the selected second audio segment(col.13 line 36-col.14 line 52).

Regarding claim 30, Partovi teaches the method of claim 28, further comprising:

receiving a request to access the second series of recorded audio segments via a

second telephone call; and playing back the requested second series of recorded audio

segments via the second telephone call(col.13 line 36-col.14 line 52).

receiving a selection of a first audio segment of the played baclc second series of

recorded audio segments via the second telephone call;

receiving a recorded second audio comment via the second telephone call; and

storing the received recorded second audio comment in association with the selected

first audio segment(col.13 line 36-col.14 line 52).

Regarding claim 31, Partovi teaches a method, comprising

storing audio segments corresponding to different conversations in an audio repository;

permitting a plurality of different users to add one or more audio segments to the stored

audio segments of selected ones of the different conversations(col.13 line 36-col.14 line

52); moderating the content of the stored audio segments by marking first ones of the

stored audio segments as being approved and marking second ones of the stored audio

segments as being disapproved; and

selectively playing back the approved first ones of the stored audio segments to a user

accessing the stored audio segments via a telephone call(col.19 lines 11-26).

Regarding claim 32, Partovi teaches a method, comprising:

storing audio segments corresponding to different conversations in an audio repository;

permitting a plurality of different users to add one or more first audio segments to the

stored audio segments of selected ones of the different conversations, wherein the

added one or more first audio segments include audio commentary on a content of the

stored audio segments(col.13 line 36-col.14 line 52 and col.21 lines 13-46);

and receiving one or more second audio segments that rate the audio commentary

included in the one or more first audio segments(col.13 line 36-col.14 line 52).

Regarding claim 33, Partovi teaches a method, comprising:

storing audio segments in an audio repository corresponding to different conversations;

permitting a plurality of different users to add one or more audio segments to the stored

audio segments corresponding to selected ones of the different conversations(col.13

line 36-col.14 line 52 and col.21 lines 13-46);

removing first ones of the stored audio segments that include objectionable material and

second ones of the stored audio segments that include duplicative material to produce

moderated audio segments(col.13 line 36-col.14 line 52 and col.21 lines 13-46);

and selectively playing back the moderated audio segments to users accessing the

stored audio segments via telephone calls(col.13 line 36-col.14 line 52 and col.21 lines

13-46).

Regarding claim 34, Partovi teaches a method, comprising:

storing audio segments in an audio repository corresponding to different conversations;

re-ordering the stored audio segments within each of the different conversations based

on an importance associated with a content of each of the stored audio segments; and

selectively playing back the re-ordered audio segments based on the rank order to users accessing the stored audio segments via telephone calls(col.21 lines 13-46).

Regarding claim 35, Partovi teaches the method of claim 34, further comprising:

permitting a plurality of different users to add one or more audio segments to the stored audio segments corresponding to selected ones of the different conversations; wherein the re-ordering includes re-ordering the stored audio segments and the added one or more audio segments in rank order based on an importance associated with a content of each of the stored audio segments and the added one or more audio segments(col.21 lines 13-46).

Regarding claim 36, Partovi teaches a system, comprising:

means for receiving and storing a first series of recorded audio segments;

means for receiving and storing a second series of recorded audio segments',

means for receiving a request to access the stored first series of recorded audio segments via a first telephone call(col.13 line 36-col.14 line 52 and col.21 lines 13-46).;

means for playing back the requested first series of recorded audio segments via the first telephone call; means for receiving a selection of a first audio segment of the played back first series of recorded audio segments via the first telephone call(col.13 line 36-col.14 line 52 and col.21 lines 13-46);

means for receiving recorded first audio comment via the first telephone call; and

means for storing the recorded first audio comment in association with the selected first audio segment(col.13 line 36-col.14 line 52 and col.21 lines 13-46).

Allowable Subject Matter

2.   Claims 25, 27, and 30 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

3.   Applicant's arguments with respect to claims 19-35 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph T. Phan whose telephone number is (571) 272-7544. The examiner can normally be reached on Mon-Fri 9am-6pm.
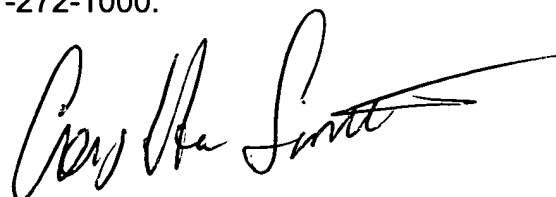
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JTP
June 26, 2006

CREIGHTON SMITH
PRIMARY EXAMINER